

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

MICHAEL B. KINGSLEY,

Plaintiff,

vs.

Case No. 10-CV-832

LISA JOSVAI, PATRICIA FISH, ROBERT
CONROY, STAN HENDRICKSON, FRITZ
DEGNER, AND KARL BLANTON,

Defendants.

MOTIONS *IN LIMINE* OF DEFENDANTS

Pursuant to the Court's Preliminary Pretrial Conference Order and Procedures Governing Final Pretrial Conference, defendants, Robert Conroy, Stan Hendrickson, Fritz Degner, and Karl Blanton, hereby bring the following motions *in limine*:

- (1) For an order precluding or otherwise limiting the testimony of plaintiff's expert witness, Brian Landers, pursuant to Fed. R. Evid. 702, 402, and 403;
- (2) For an order precluding plaintiff from introducing any evidence that he was improperly handcuffed pursuant to Fed. R. Evid. 401 through 403;
- (3) For an order precluding plaintiff from introducing any evidence relating to his carpal tunnel syndrome in the damages phase of trial pursuant to Fed. R. Evid. 702 and 401 through 403;
- (4) For an order precluding plaintiff from arguing at trial that, because the taser proved ineffective in gaining his compliance, its use was excessive pursuant to Fed. R. Evid. 401 through 403;
- (5) For an order permitting defendants to impeach plaintiff with evidence of his prior criminal convictions pursuant to Fed. R. Evid. 609;

(6) For an order precluding plaintiff from introducing evidence regarding the fact that plaintiff was referred to the Monroe County District Attorney's Office for criminal charges relating to the incident in question and relating to the results of the referral pursuant to Fed. R. Evid. 401 through 403;

(7) For an order precluding plaintiff from introducing evidence relating to other instances in which defendants or other Monroe County Sheriff's Department employees have used a taser pursuant to Fed. R. Evid. 401 through 404;

(8) For an order precluding plaintiff from introducing evidence relating to prior discipline imposed on defendants by the Monroe County Sheriff's Department pursuant to Fed. R. Evid. 401 through 404 and 608; and

(9) For an order precluding plaintiff from presenting any evidence relating to the fact that defendants may be covered by insurance in this case pursuant to Fed. R. Evid. 401 through 403 and 411.

The grounds for these motions *in limine* are more fully set forth in the accompanying memorandum of law.

Dated this 7th day of September, 2012.

s/ Andrew A. Jones

Andrew A. Jones

Timothy H. Posnanski

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